

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL E. JACKSON,)
vs.)
Plaintiff,)
vs.) NO. CIV-13-141-D
WARDEN, OKLAHOMA TRANSFER)
CENTER,)
Defendant.)

ORDER

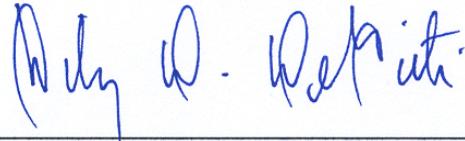
Plaintiff, a federal prisoner appearing *pro se*, filed this action on February 8, 2013, and sought leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings, including consideration of the motion to proceed *in forma pauperis*.

On March 7, 2013, the Magistrate Judge filed a Report and Recommendation [Doc. No. 7] in which he recommended that this action be dismissed without prejudice because Plaintiff failed to cure the deficiencies in his Complaint, and he also failed to submit the information required to consider his request for *in forma pauperis* status. As the Magistrate Judge noted, Plaintiff had been advised of the necessary information, but had not complied with the requirements. Additionally, the Magistrate Judge had advised Plaintiff that his Complaint was not filed on the proper form or under the proper jurisdictional authority because Plaintiff used a 28 U. S. C. § 2241 habeas corpus filing form, but the claims he raised and the relief he sought challenged the conditions of his confinement rather than the duration of his confinement. The Magistrate Judge had granted Plaintiff additional time in which to cure these deficiencies, and advised him that his failure to do so would result in a recommendation that this action be dismissed without prejudice.

As set forth in the Report and Recommendation, Plaintiff failed to cure the deficiencies noted. As a result, the Magistrate Judge recommended this action be dismissed without prejudice. In the Report and Recommendation, he advised Plaintiff of his right to object to the findings and conclusions set forth therein, and he scheduled a March 27, 2013 deadline for filing objections. In addition, the Magistrate Judge cautioned Plaintiff that his failure to timely object would waive appellate review of the recommended ruling.

The deadline for filing objections has expired, and Plaintiff did not object, nor did he seek an extension of time in which to do so. Accordingly, the Report and Recommendation [Doc. No. 7] is adopted as though fully set forth herein. This action is dismissed without prejudice.

IT IS SO ORDERED this 3rd day of April, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE